

REMARKS

The Applicant thanks the Office for the careful consideration given to her application in the communication mailed 07/28/2004. In that communication, claims 1, 4-6, and 9 were rejected under 35 U.S.C. § 102(b) as being anticipated by Harty (US 5,134,836). Claims 1, 5, and 6 were rejected under 35 U.S.C. § 102(b) as being anticipated by Mead-Lewis (US 6,085,499). Claims 2, 7, and 8 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Mead-Lewis. Claims 2 and 11 were rejected under 35 U.S.C. § 112 for the use of the word "Lycra." Claim 3 was objected to as being dependent upon a rejected claim base. Paragraphs 0015 - 0017 of the specification were objected to for informalities.

Paragraph 0015 is amended to replace the second word "over" with -- other --, therefore making the meaning clear. The reference number 30 in paragraph 0016 has moved in compliance with the Office's advice. In paragraph 0017, the term VELCRO(r) was deleted, since it is merely a brand name of hook and loop fasteners. Therefore, paragraphs 0015 - 0017 should be acceptable.

The elements of claim 3 were rewritten in independent form to be included in independent claim 1. Therefore, claim 3 itself was canceled. This should make claim 1 allowable. A claim in dependent form shall be construed to incorporate by reference all the limitations of the claim to which it refers. 35 U.S.C. § 112, fourth paragraph. Therefore, each of the claims that depend from claim 1, namely claims 2 and 5 -9, should be allowable.

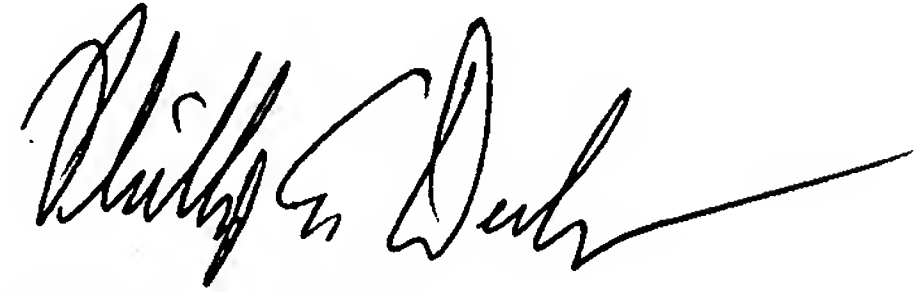
Claims 2 and 11 were amended to claim "stretch fabric" instead of -- Lycra --. The generic term for Lycra according to the manufacturer's Web site, www.lycra.com.

The Office also cited a defective Declaration. Applicant herewith submits a replacement Declaration.

The Office is encouraged to telephone the Applicant's attorney to resolve any further

matters in anticipation of a speedy allowance of this application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Phillip E. Decker", with a long horizontal flourish extending to the right.

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